

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JAMES SELVITELLA,

CASE NO. C-08-04388 CW

Plaintiff(s),

v.

CITY OF SOUTH SAN FRANCISCO, et al.,

STIPULATION AND [PROPOSED]  
ORDER SELECTING ADR PROCESS

Defendant(s).

Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

**Court Processes:**

- Non-binding Arbitration (ADR L.R. 4)
- Early Neutral Evaluation (ENE) (ADR L.R. 5)
- Mediation (ADR L.R. 6)

*(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR, must participate in an ADR phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)*

**Private Process:**

Private ADR (please identify process and provider) \_\_\_\_\_

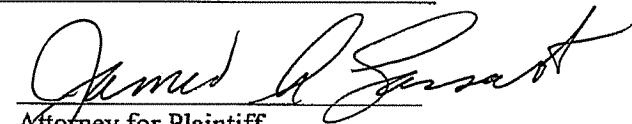
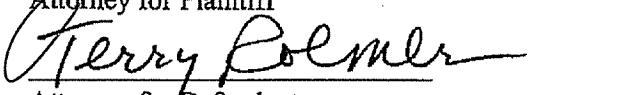
The parties agree to hold the ADR session by:

- the presumptive deadline (The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.)

other requested deadline \_\_\_\_\_

Dated: 12/2/08

Dated: 12/2/08

  
James R. Salsbury  
Attorney for Plaintiff  
  
Terry Bolmer  
Attorney for Defendant

When filing this document in ECF, please be sure to use the appropriate ADR Docket Event, e.g., "Stipulation and Proposed Order Selecting Early Neutral Evaluation."

**[PROPOSED] ORDER**

Pursuant to the Stipulation above, the captioned matter is hereby referred to:

- Non-binding Arbitration
- Early Neutral Evaluation (ENE)
- Mediation
- Private ADR

Deadline for ADR session

- 90 days from the date of this order.

other

IT IS SO ORDERED.

12/5/08

Dated: \_\_\_\_\_



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DISTRICT  
UNITED STATES MAGISTRATE JUDGE

1 CASE NAME: JAMES SELVITELLA v. CITY OF SOUTH SAN FRANCISCO,  
2 CALIFORNIA, et al.

3 ACTION NO.: UNITED STATES DISTRICT COURT, NORTHERN DISTRICT  
4 NO. C 08-04388 CW

5 **PROOF OF SERVICE**

6 **METHOD OF SERVICE**

- 7  First Class Mail  Facsimile  Messenger Service  
 Overnight Delivery  E-Mail/Electronic Delivery

8 1. At the time of service I was over 18 years of age and not a party to this action and a Citizen of  
the United States.

9 2. My business address is 201 Spear Street, Suite 1000, San Francisco, CA 94105-1667.

10 3. On December 2, 2008 I served the following documents:

11 **DEMAND FOR JURY TRIAL**

12 4. I served the documents on the persons at the address below (along with their fax numbers  
and/or email addresses if service was by fax or email):

13 Mary Theresa Roemer, Esq.  
Jesse J. Lad, Esq.  
Kimberly E. Colwell, Esq.  
MEYERS NAVÉ RIBACK SILVER & WILSON  
555 12<sup>th</sup> Street, Suite 1500  
Oakland, CA 94607  
Telephone: (510) 808-2000  
Fax: (510) 444-1108  
Email: [troemer@meyersnave.com](mailto:troemer@meyersnave.com)  
[jlad@meyersnave.com](mailto:jlad@meyersnave.com)  
[kcolwell@meyersnave.com](mailto:kcolwell@meyersnave.com)

14 *Attorneys for Defendants/Respondents*

15 United States District Court  
Northern District of California  
ADR Program  
450 Golden Gate Avenue, 16<sup>th</sup> Fl  
San Francisco, CA 94102

16 5. I served the documents by the following means:

17 a.  By United States mail: I enclosed the documents in a sealed envelope or package  
addressed to the persons at the addresses specified in item 4 and placed the envelope for  
collection and mailing, following our ordinary business practices. I am readily familiar with this  
business's practice for collecting and processing correspondence for mailing. On the same day

1 that correspondence is placed for collection and mailing, it is deposited in the ordinary course of  
2 business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

3 b.  By overnight delivery: I enclosed the documents in an envelope or package  
4 provided by an overnight delivery carrier and addressed to the persons at the addresses in item 4.  
I placed the envelope or package for collection and overnight delivery at an office or a regularly  
utilized drop box of the overnight delivery carrier.

5 c.  By messenger: I served the documents by placing them in an envelope or package  
6 addressed to the persons at the addresses listed in item 4 and providing them to a messenger for  
service. (Separate declaration of personal service to be provided by the messenger.)

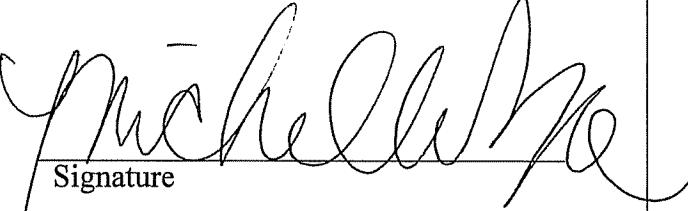
7 d.  By fax transmission: Based on an agreement between the parties and in  
8 conformance with Fed. Rules Civ. Proc. rule 5, and/or as a courtesy, I faxed the documents to the  
persons at the fax numbers listed in item 4. (Separate Proof of Transmission by Fax to be  
provided.)

9 e.  By email or electronic transmission: Based on an agreement between the parties  
10 and/or as a courtesy, I sent the documents to the persons at the email addresses listed in item 4. I  
11 did not receive, within a reasonable time after the transmission, any electronic message or other  
indication that the transmission was unsuccessful.

12 I am employed in the office of a member of the bar of this court at whose direction the  
13 service was made. I certify under penalty of perjury that the foregoing is true and correct.

14 Date: December 2, 2008

15 Michelle S. Yee  
16 Type Name

  
Signature